

FOURTEENTH DAY

(Monday, February 9, 1959)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President

The roll was called and the following Senators were present:

Aikin	Lane
Baker	Martin
Bradshaw	Moffett
Colson	Moore
Crump	Owen
Dies	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood

Absent—Excused

Secrest

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation as follows:

O God Our Father, we have put our hands to the plow and would not turn back. We thank Thee for hands of toil, hands of skill, and the tender touch of mother's hand. But in this moment of dedication, let us feel the gentle touch of Thy nail-scarred hand, leading us beside still waters and through green pastures. Deliver us from evil for Thy name sake. Amen.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, February 5, 1959, was dispensed with and the Journal was approved.

Leave of Absence

Senator Secrest was granted leave of absence for today on account of important business on motion of Senator Herring.

Message from the House

Hall of the House of Representatives
Austin, Texas,
February 9, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. B. No. 23, A bill to be entitled "An Act relating to the jurisdiction of the County Court of Brazos County; restoring to said court the civil and criminal jurisdiction granted to county courts by the Constitution and General Laws of this State; conforming the jurisdiction of the district court of said county to such change; repealing all laws in conflict with this Act; and declaring an emergency."

S. B. No. 70, A bill to be entitled "An Act creating a County Court at Law for Ector County, Texas, and making other provisions relative thereto; repealing all laws or parts of laws in conflict herewith; providing for severability; and declaring an emergency."

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Senate Resolution 54

Senator Hardeman offered the following resolution:

Whereas, We are honored today to have as visitors in the Senate the Civics Class of Sonora High School, including Mr. A. T. Barrett, their teacher and sponsor, Dewey Shroyer, Mary Templeton, Bonnie Templeton, George Caldwell, Wallace Anthony, Paul Lippman, Roland Drennan, C. W. West, Billy Tolliver, Alice Lee Daugh-trey, Carolyn McLaury, and Joe Lut-trell; and

Whereas, We desire to welcome these distinguished visitors to the Capitol Building and Capital City; now, therefore, be it

Resolved, That their presence be recognized by the Senate of Texas and that they be extended the official welcome of the Senate.

The resolution was read and was adopted.

Senator Hardeman by unanimous consent presented the students and Mr. Barrett to the Members of the Senate.

Senate Resolution 55

Senator Owen offered the following resolution:

Whereas, We are honored today to have as a visitor in the Senate, Judge Charles E. Windberg; and

Whereas, We desire to welcome this distinguished visitor to the Capitol Building and Capital City; now, therefore, be it

Resolved, That his presence be recognized by the Senate of Texas and that he be extended the official welcome of the Senate.

The resolution was read and was adopted.

Senator Owen by unanimous consent presented Judge Windberg to the Members of the Senate.

Resolutions Signed

The President signed in the presence of the Senate after the captions had been read, the following enrolled resolutions:

H. C. R. No. 18, Congratulating and commending the State Tax Study Commission.

H. C. R. No. 20, Inviting Senator Hubert R. Hudson to address a Joint Session of both Houses on Wednesday, February 11, 1959.

S. C. R. No. 3, Adopting Joint Rules for Fifty-sixth Legislature.

S. C. R. No. 11, In memory of A. B. Hooks.

Senate Resolution 56

Senator Herring offered the following resolution:

Whereas, The General Investigating Committee of the Senate, created by the 55th Legislature under the authority of Senate Resolution No. 347, is unable to complete the compilation of its final report and the printing thereof by February 10, 1959, as authorized by the Senate; and

Whereas, It is contemplated that additional time will be necessary for this purpose; now, therefore, be it

Resolved, By the Senate of the State of Texas, that the time for filing of the report of the General Investigating Committee be extended to March 2, 1959.

HERRING
HAZLEWOOD
KRUEGER
OWEN
SECREST

The resolution was read and was adopted.

Senate Concurrent Resolution 13

Senator Fuller offered the following resolution:

S. C. R. No. 13, Inviting Preston J. Moore to address a Joint Session of the Legislature on March 31, 1959, at 10:30 a.m. o'clock.

Whereas, Preston J. Moore, National Commander of the American Legion, a veteran of World War II, has served with great distinction in the American Legion since 1945; and

Whereas, He was State Commander of the American Legion in Oklahoma; he has been Chairman of the Oklahoma American Legion Foreign Relations Committee; a member of the Foreign Relations Convention Committee, American Legion National Convention in San Francisco; Department Judge Advocate in Oklahoma American Legion; Alternate National Executive Committeeman from Oklahoma; National Executive Committeeman from Oklahoma; a member of National Commander's Advisory Committee; a member of National Executive Committee Liaison Committee on National Security; and a member of National Executive Committee's Subcommittee on Revision of Constitution and By-Laws; and

Whereas, He has won the admiration and respect of the State of Texas, and it would be a great privilege for the Texas Legislature to hear this distinguished American; now, therefore, be it

Resolved, By the Senate, the House of Representatives concurring, that Preston J. Moore be invited to address a Joint Session of the Senate and the House of Representatives at 10:30 a.m. on Tuesday, March 31, 1959, and that a Joint Committee of five Members of each House be appointed to escort him to the Joint Session.

FULLER
KAZEN
PHILLIPS
KRUEGER
MOFFETT

The resolution was read.

On motion of Senator Fuller and by unanimous consent the resolution was considered immediately and was adopted.

Report of Standing Committee

Senator Aikin submitted the following report:

Austin, Texas,
February 9, 1959.

Hon. Ben Ramsey, President of the Senate:

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred S. B. No. 21, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Senate Bills on First Reading

The following bills were introduced, read first time and referred to the committee indicated:

By Senators Kreuger, Ratliff and Smith:

S. B. No. 120, A bill to be entitled "An Act amending Sections 1, 3, and 8 of Senate Bill No. 323, Acts, 55th Legislature, Regular Session, 1957, Chapter 307, Page 746; to provide for a yearly permit and an annual fee for a permit; prescribing who shall enforce this Act; and declaring an emergency."

To the Committee on Labor and Management Relations.

By Senators Krueger and Smith:

S. B. No. 121, A bill to be entitled "An Act providing for the protection and promotion of the public health and welfare by providing for the development, establishment, and enforcement of certain standards in the construction, maintenance and operation of hospitals by the Licensing Agency; providing that no person or governmental unit shall establish, conduct, or maintain a hospital without a license; providing for the appointment of a Hospital Licensing Director; providing for the fixing of license fees; providing for licenses to be issued by the Licensing Agency; providing for the denying, cancelling, revoking, or suspending of licenses under certain conditions; providing the powers and duties of the Licensing Agency; providing for the appointment and duties of a Hospital Licensing Advisory Council; fixing a penalty; amending Section 2(a) of Article 4442c of Vernon's Annotated Civil Statutes in regard to the definition of hospital; repealing Article

4442 of Vernon's Annotated Civil Statutes, Acts 1921, p. 146, Acts 1935, 44th Leg., p. 294, ch. 108, sec. 1, and all laws in conflict herewith; containing a severance clause; and declaring an emergency."

To the Committee on Public Health.

By Senator Krueger:

S. B. No. 122, A bill to be entitled "An Act to amend the subject matter of the Texas Unemployment Compensation Act, as amended, Chapter 482, Acts of the 44th Legislature, Third Called Session, 1936, as amended, and as embraced in Section 3 providing benefits, Section 4 prescribing benefit eligibility conditions, Section 5 providing for disqualification for benefits and by adding to Section 5 a new subsection to be known as (g) providing that an individual shall be disqualified for benefits for any benefit period with respect to which he is receiving or has received or is eligible to receive remuneration in the form of old age benefits under Title II of the Social Security Act, as amended, or similar payments under any Act of Congress, or a State Legislature, and by adding to Section 5 a new subsection to be known as (h) providing for the disqualification of students for benefits under certain conditions; providing an effective date for this Act and its sections; providing for the repeal of all laws and parts of laws in conflict herewith and for preserving rights accrued thereunder; providing for the separability of provisions; and declaring an emergency."

To the Committee on State Affairs.

By Senators Krueger and Herring:

S. B. No. 123, A bill to be entitled "An Act amending Sections 3, 8, 9, 11, 12, 14, 16 and 17 of Article 4542a of the Revised Civil Statutes of Texas, 1925, as amended, relating to the regulation and practice of pharmacy; prescribing compensation of the State Board of Pharmacy; providing for distribution of drugs or medicines except in original packages; prescribing the subject matter of examinations to be given by the State Board of Pharmacy and the fee to be charged therefor; prescribing the fee for license granted by reciprocity; providing for affidavits required by the State Board of Pharmacy; providing for the cancellation, revocation, or suspension of licenses under certain conditions; providing for an-

nual renewal fees; providing for duplication of licenses or annual renewal certificates; providing for the unlawful use of the word 'pharmacy'; providing for store or factory permits; providing for severability; and declaring an emergency."

To the Committee on Public Health.

By Senators Krueger and Herring:

S. B. No. 124, A bill to be entitled "An Act defining 'dangerous drugs'; regulating the possession, handling, sale, obtaining, and distribution of 'dangerous drugs'; providing for injunction to prevent violations; providing penalties for violations; providing for severability; repealing Article 726b of the Penal Code, Acts of 1949, 51st Leg., p. 912, ch. 490, as amended Acts of 1955, 54th Leg., p. 1026, ch. 385, Sec. 3; repealing Article 726c of the Penal Code, Acts of 1951, 52nd Leg., p. 758, ch. 413; as amended Acts of 1955, 54th Leg., p. 1215 ch. 486, Sec. 3 and Sec. 6; Acts of 1955, 54th Leg., p. 1026, ch. 385, Sec. 2, and all laws in conflict herewith, and declaring an emergency."

To the Committee on Public Health.

By Senator Herring:

S. B. No. 125, A bill to be entitled "An Act regulating the sale and manufacture of foods, drugs, devices and cosmetics for the protection of public health in the State of Texas, defining adulteration and misbranding, repealing the following articles of the Revised Civil Statutes of Texas, Article 4470, 4471, 4472 and 4473; repealing the following articles of the Penal Code of Texas, Articles 706, 707, 708, 709 and 717; and all other laws in conflict herewith; defining certain authority of the Commissioner of Health, prescribing penalties; and declaring an emergency."

To the Committee on Public Health.

By Senator Herring:

S. B. No. 126, A bill to be entitled "An Act providing that the Attorney General shall be a necessary party to certain judicial proceedings, settlements and compromise agreements affecting charitable trusts, and authorizing settlements with or without the intervention of a court; excepting pending suits from the operation of the Act; providing for severability; and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Crump:

S. B. No. 127, A bill to be entitled "An Act authorizing the Board for Texas State Hospitals and Special Schools to determine the amount of land excess to the needs of the operation of the Kerrville State Home; to sell and convey same; and declaring an emergency."

To the Committee on State Affairs.

By Senator Baker:

S. B. No. 128, A bill to be entitled "An Act to repeal Section 4 of Article 2784g, Texas Civil Statutes, Acts 1953, 53rd Legislature, Chapter 273, relating to the applicability of the maximum tax rate of school districts in counties with 700,000 or more population having an assessed valuation for tax purposes in excess of One Billion Dollars; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

By Senator Baker:

S. B. No. 129, A bill to be entitled "An Act to provide that in all cases where two or more responsible bidders submit the lowest and best bids in connection with a proposed county, city, or district contract and these bids are identical in both amount and nature, the Commissioners Court of the county or the governing body of the city or district shall only enter into a contract with one of the responsible bidders and the one bidder shall be selected by casting of lots, and the casting of lots, shall be in such a manner as shall be prescribed by the County Judge or Mayor or governing body of the district, as the case may be, and shall be conducted in the presence of the governing body of the county, city or district, at which time all qualified bidders or their legal representatives may also be present; providing that the provisions of this Act shall be applicable to all counties, cities and districts in the State of Texas where bidding is required, regardless of whether the bids are submitted pursuant to the provisions of a General Law, or a Special Law, or a City Charter, or a City Ordinance; providing for a repealing clause; providing for a severability clause and declaring an emergency."

To the Committee on State Affairs.

By Senator Baker:

S. B. No. 130, A bill to be entitled

"An Act to amend various Sections of Chapter 25, Acts of the 39th Legislature, 1925, in the following respects: To provide a minimum number of petitioners and their qualifications for the organization of water control and improvement districts, with provisions for unqualified signers; providing additional qualifications of directors; to prohibit directors from being pecuniarily interested in certain contracts, bonds or other forms of indebtedness and providing penalty for violations; providing for petition, call, notice, holding, and declaration of result of election for directors under certain circumstances; to provide for the terms of sale of bonds; providing for approval of plans and specifications of improvements in and changes thereof in certain districts; providing for the State Board of Water Engineers to supervise expenditures made by districts in certain instances; providing for the State Board of Water Engineers to approve certain work done by contractors for the various districts prior to payments of said contractors, and conditions thereto; providing penalties for paying without securing approval; repealing all laws in conflict herewith; and declaring an emergency."

To the Committee on Water and Conservation.

By Senator Hazlewood:

S. B. No. 131, A bill to be entitled "An Act amending Article 7122 of the Revised Civil Statutes of Texas of 1925 as last amended; broadening and specifically setting out exemptions from the inheritance tax on foreign bequests; providing for application to persons dying before the effective date under given conditions; repealing all laws in conflict; and declaring an emergency."

To the Committee on State Affairs.

By Senator Hazlewood:

S. B. No. 132, A bill to be entitled "An Act to provide for payment of twenty-five per cent (25%) attorney's fee on suits up to Three Thousand Dollars (\$3,000) against an insurance company where it shall be determined on the trial of the cause that the plaintiff is entitled to compensation as asked and has, prior to the petition, presented proof to said company that the amount of damages asked for was reasonable and the insurance company has refused to pay, or has

offered a lesser amount as a compromise; and declaring an emergency."

To the Committee on Insurance.

By Senator Owen:

S. B. No. 133, A bill to be entitled "An Act validating, ratifying and confirming certain contracts heretofore entered into between cities and contiguous Water Control and Improvement Districts affecting the water and sewer facilities of said cities and districts and the operation thereof, and declaring an emergency."

To the Committee on Counties, Cities and Towns.

By Senator Aikin:

S. B. No. 134, A bill to be entitled "An Act amending subsection 5 (b) of Section 10, Senate Bill 290, Chapter 530, Acts 54th Legislature (Codified as Article 2922-1 of Vernon's Annotated Civil Statutes of Texas) to provide a Three (\$3.00) Dollar annual membership fee for each member of the Teacher Retirement System, providing a severability clause, and declaring an emergency."

To the Committee on Education.

Report of Standing Committee

Senator Aikin submitted the following report:

Austin, Texas,

February 9, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred S. B. No. 128, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

AIKIN, Chairman.

Senate Bill 128 Ordered Not Printed

On motion of Senator Baker and by unanimous consent S. B. No. 128 was ordered not printed.

Senate Concurrent Resolution 14

Senator Martin offered the following resolution:

S. C. R. No. 14, Requesting Governor to designate Texas Nurse Week.

Whereas, The profession of nursing

plays a vital role in the health care of the citizens of our State; and

Whereas, Expansion of its ranks through the attraction of young people to this honorable profession is of paramount importance to the future health and welfare of the ever-growing numbers of citizens of our great State; and

Whereas, An informed public can assist the nursing profession in attaining its goal of constantly-improved service; and

Whereas, Worthy recognition of the nursing profession's distinguished service record throughout the history of our State is a necessary and proper avenue through which to inform the public about the nursing profession; now, therefore, be it

Resolved by the Senate of the 56th Legislature of the State of Texas, the House of Representatives concurring, That the Legislature hereby request that the Governor of Texas proclaim annually a week to be known as Texas Nurse Week beginning with the year 1959, to be observed each year during the week of the month of May in which May 12 falls, that date being the birth date of Florence Nightingale; that all citizens of Texas be encouraged at that time to join together in paying homage to this noble profession and giving proper recognition to its accomplishments; and that all Texans be urged particularly during this annual observance to acquaint themselves with the many varied aspects of nursing in our present age and with the profession's lofty goals for the future; and that the Governor of Texas be and he is hereby requested to issue annually a proclamation calling upon the citizens of Texas to cooperate in the observance of such week as aforesaid.

The resolution was read.

On motion of Senator Martin and by unanimous consent the resolution was considered immediately and was adopted.

Senate Resolution 57

Senator Ratliff offered the following resolution:

Whereas, Sadie Fern Hillis, a Junior at Hermleigh High School, who, at sixteen years of age, has displayed outstanding ability by winning one of the coveted 4-H Gold Star Awards

presented at a banquet at Texas Technological College in Lubbock honoring the 1958 4-H Gold Star Winners; and

Whereas, For Miss Hillis, recipient of the Gold Star Award, this was the high point of an active seven-year career in 4-H Club work that included projects in Clothing, Food, Yard Improvement, Livestock, and Leadership; and

Whereas, She has been Clothing Leader in her 4-H Club as well as Reporter, Secretary, and President; and

Whereas, She has had two years of Homemaking and three years in Future Homemakers of America; and

Whereas, She is now serving as Secretary of the Junior Class of Hermleigh High School; now, therefore, be it

Resolved, That the Senate of Texas extend its sincere congratulations to this fine young lady, an outstanding example of the youth of our great West Texas, and that a copy of this resolution be sent to Sadie Fern Hillis.

The resolution was read and was adopted.

Senate Resolution 58

Senator Ratliff offered the following resolution:

Whereas, Royce Summers, a Freshman at Fluvanna High School, who, at fifteen years of age, has displayed outstanding ability by winning one of the coveted 4-H Gold Star Awards presented at a banquet at Texas Technological College in Lubbock honoring the 1958 4-H Gold Star Winners; and

Whereas, For Royce, recipient of the Gold Star Award, this was the high point of an active four-year career in 4-H Club work that included serving in the club offices of Reporter and Vice-President, and membership on the 1958 Field Judging Team that participated in the District Contest; and

Whereas, He received the 1958 Scurry County Farm Bureau Trophy as the outstanding 4-H Club Boy of the County; and

Whereas, He is now serving as a member of the Scurry County 4-H Club Council; now, therefore, be it

Resolved, That the Senate of Texas extend its sincere congratulations to this fine young man, an outstanding

example of the youth of our great West Texas, and that a copy of this resolution be sent to Royce Summers.

The resolution was read and was adopted.

Senate Resolution 59

Senator Ratliff offered the following resolution:

Whereas, Cathey Ann Smith, a Sophomore at Colorado City High School, who, at fifteen years of age, has displayed outstanding ability by winning one of the coveted 4-H Gold Star Awards presented at a banquet at Texas Technological College in Lubbock honoring the 1958 4-H Gold Star Winners; and

Whereas, For Miss Smith, recipient of the Gold Star Award, this was the high point of an active four-year career in 4-H Club work that included projects in Homestead Improvement, Bedroom Improvement, Meal Preparation, Freezing, and Clothing; and

Whereas, She won first place in the County Dress Revue and second place in the District Dress Revue; now, therefore, be it

Resolved, That the Senate of Texas extend its sincere congratulations to this fine young lady, an outstanding example of the youth of our great West Texas, and that a copy of this resolution be sent to Cathey Ann Smith.

The resolution was read and was adopted.

Senate Resolution 60

Senator Ratliff offered the following resolution:

Whereas, Lenton Ray Webb, a Freshman at Loraine High School, who, at fourteen years of age, has displayed outstanding ability by winning one of the coveted 4-H Gold Star Awards presented at a banquet at Texas Technological College in Lubbock honoring the 1958 4-H Gold Star Winners; and

Whereas, For Lenton, recipient of the Gold Star Award, this was the high point of an active five-year career in 4-H Club work that included projects in Swine, both breeding and exhibiting Barrows; and

Whereas, He exhibited the Champion Store Area Gilt in Sweetwater, exhibited the Best Bred Barrow in

Mitchell County, and won the Champion Pen of Three Barrows both in 1957 and 1958; and

Whereas, He received the Boys Agricultural Award in 1958; and

Whereas, He was presented the Mitchell County Farm Bureau Achievement Award for the Outstanding Boy of Mitchell County; and

Whereas, He has held the offices of President and Vice-President of his club; now, therefore, be it

Resolved, That the Senate of Texas extend its sincere congratulations to this fine young man, an outstanding example of the youth of our great West Texas, and that a copy of this resolution be sent to Lenton Ray Webb.

The resolution was read and was adopted.

Senate Resolution 61

Senator Ratliff offered the following resolution:

Whereas, Borden Gray, Jr., a Freshman at Borden County High School, who, at fourteen years of age, has displayed outstanding ability by winning one of the coveted 4-H Gold Star Awards presented at the banquet at Texas Technological College in Lubbock honoring the 1958 4-H Gold Star Winners; and

Whereas, For Borden, recipient of the Gold Star Award, this was the high point of an active six-year career in 4-H Club work that included membership on the Livestock Judging Team, and service for two years in the position of Vice-President of his local club; and

Whereas, He has shown livestock throughout Texas, winning first and second place steer in Lamesa, Champion Steer at Gail, and Grand Champion Hereford Female at Gail and Lamesa; and

Whereas, He has received the Meat Animal Award, the Achievement Award, and the Leadership Award in 4-H Club work in previous years; and

Whereas, He is now serving as President of his local 4-H Club; now, therefore, be it

Resolved, That the Senate of Texas extend its sincere congratulations to this fine young lad, an outstanding example of the youth of our great West Texas, and that a copy of this resolution be sent to Borden Gray, Jr.

The resolution was read and was adopted.

Senate Resolution 62

Senator Ratliff offered the following resolution:

Whereas, Nancy Beal, a Sophomore at Borden County High School, who, at fourteen years of age, has displayed outstanding ability by winning one of the coveted 4-H Gold Star Awards presented at a banquet at Texas Technological College in Lubbock honoring the 1958 4-H Gold Star Winners; and

Whereas, For Nancy, recipient of the Gold Star Award, this was the high point of an active six-year career in 4-H Club work that included projects in Foods, Clothing, and Bedroom; and

Whereas, Miss Beal was awarded five blue and one red awards for garments which were exhibited in Borden County Dress Revue; and

Whereas, She has also won two blue ribbons in County Bake Shows and has received awards in Achievement, Leadership, Clothing, and Dairy Foods; and

Whereas, She is now serving as secretary of her 4-H Club; now, therefore, be it

Resolved, That the Senate of Texas extend its sincere congratulations to this fine young lady, an outstanding example of the youth of our great West Texas, and that a copy of this resolution be sent to Nancy Beal.

The resolution was read and was adopted.

Senate Resolution 63

Senator Ratliff offered the following resolution:

Whereas, Jerry Iden, a Junior at Ackerly High School, who, at sixteen years of age, has displayed outstanding ability by winning one of the coveted 4-H Gold Star Awards presented at a banquet at Texas Technological College in Lubbock honoring the 1958 4-H Gold Star Winners; and

Whereas, For Jerry, recipient of the Gold Star Award, this was the high point of an active eight-year career in 4-H Club work that included membership on the 4-H Livestock Judging Team in 1957 and 1958, and service as 4-H Club Rodeo Director in 1957; and

Whereas, He owns a small herd of registered Hereford cattle and has shown steers at all the major shows in Texas; and

Whereas, He has been an officer in his local club, and has attended 4-H Roundup as County Delegate; now, therefore, be it

Resolved, That the Senate of Texas extend its sincere congratulations to this fine young man, an outstanding example of the youth of our great West Texas, and that a copy of this resolution be sent to Jerry Iden.

The resolution was read and was adopted.

Senate Resolution 64

Senator Ratliff offered the following resolution:

Whereas, Jessie Carolyn Ward, a Senior at Southland High School, who, at seventeen years of age, has displayed outstanding ability by winning one of the coveted 4-H Gold Star Awards presented at a banquet at Texas Technological College in Lubbock honoring the 1958 4-H Gold Star Winners; and

Whereas, For Miss Ward, recipient of the Gold Star Award, this was the high point of an active ten year career in 4-H Club work that included projects in Foods, Clothing, Homestead Improvement, Home Improvement, Garden, and Poultry; and

Whereas, Jessie was a member of the Electric Demonstration Team from Garza County which placed Second in the District and went to State Roundup with their Electric Demonstration; and

Whereas, She is now serving as Co-Chairman of the Garza County 4-H Club Council; now, therefore, be it

Resolved, That the Senate of Texas extend its sincere congratulations to this fine young lady, an outstanding example of the youth of our great West Texas, and that one copy of this resolution be sent to Jessie Carolyn Ward.

The resolution was read and was adopted.

Senate Resolution 65

Senator Ratliff offered the following resolution:

Whereas, Joyce Robinson, a Junior

at Knott High School, who, at sixteen years of age, has displayed outstanding ability by winning one of the coveted 4-H Gold Star Awards presented at a banquet at Texas Technological College in Lubbock honoring the 1958 4-H Gold Star Winners; and

Whereas, For Miss Robinson, recipient of the Gold Star Award, this was the high point of an active eight year career in 4-H Club work that included projects in Clothing, Foods, and Beef Cattle; and

Whereas, She has shown steers at all the major shows in the State, winning Reserve Championships at Odessa and San Antonio and Grand Champion at Abilene in 1958; and

Whereas, She has served as an officer in both local and county wide 4-H Clubs; now, therefore, be it

Resolved, That the Senate of Texas extend its sincere congratulations to this fine young lady, an outstanding example of the youth of our great West Texas, and that a copy of this resolution be sent to Joyce Robinson.

The resolution was read and was adopted.

Senate Resolution 66

Senator Ratliff offered the following resolution:

Whereas, Donald Young, a Junior at Post High School, who, as seventeen years of age, has displayed outstanding ability by winning one of the coveted 4-H Gold Star Awards presented at a banquet at Texas Technological College in Lubbock honoring the 1958 4-H Gold Star Winners; and

Whereas, For Donald, recipient of the Gold Star Award, this was the high point of an active eight year career in 4-H Club work that included projects in Beef Cattle, Swine, and Field Crops; and

Whereas, He is now serving as a member of the Garza County 4-H Council; and

Whereas, He is now very active in youth activities in the Graham Community; now, therefore, be it

Resolved, That the Senate of Texas extend its sincere congratulations to this fine young man, an outstanding example of the youth of our great West Texas, and that a copy of this resolution be sent to Donald Young.

The resolution was read and was adopted.

Senate Resolution 67

Senator Aikin offered the following resolution:

Whereas Mrs. F. H. McDowell of Commerce, Texas, is a visitor at the Capitol today; and

Whereas, Mrs. McDowell is an outstanding citizen and civic leader of Northeast Texas; now, therefore, be it

Resolved by the Senate, That a hearty welcome be extended to Mrs. McDowell on her visit.

AIKIN
ROBERTS

The resolution was read and was adopted.

(Senator Martin in the Chair.)

Senate Bill 108 on Second Reading

Senator Willis moved that Senate Rules 116 and 13 and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 108 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—28

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Herring	Rogers
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

Nays—1

Hardeman

Absent

Hazlewood

Absent—Excused

Secrest

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 108, A bill to be entitled

"An Act relating to the construction and operation of the jury wheel; amending Article 2095, Revised Civil Statutes of Texas, as amended; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 108 on Third Reading

Senator Willis moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 108 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hazlewood	Rogers
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

Nays—1

Hardeman

Absent—Excused

Secrest

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Record of Vote

Senator Hardeman asked to be recorded as voting "Nay" on the final passage of S. B. No. 108.

Senate Bill 79 on Second Reading

Senator Herring moved that Senate Rules 116 and 13 and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 79 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—27

Aikin	Moffett
Baker	Moore
Colson	Owen
Dies	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hazlewood	Roberts
Herring	Rogers
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood
Martin	

Nays—3

Bradshaw	Hardeman
Crump	

Absent—Excused

Secrest

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 79, A bill to be entitled "An Act relating to the appointment, qualification, duties and compensation of Official Shorthand Reporters for the District Courts of the Fifty-Third and One Hundred Twenty-Sixth Judicial Districts of Texas, for the Ninety-Eighth District Court of Travis County and for the Criminal District Court of Travis County; fixing maximum and minimum salaries to be paid, in addition to compensation for transcripts, statement of fact and other fees; repealing all laws or parts of laws in conflict; providing a savings clause; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 79 on Third Reading

Senator Herring moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 79 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Baker
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Colson	Moore
Dies	Owen
Fly	Parkhouse
Fuller	Phillips
Gonzalez	Ratliff
Hazlewood	Reagan
Herring	Roberts
Hudson	Rogers
Kazen	Smith
Krueger	Weinert
Lane	Willis
Martin	Wood
Moffett	

Nays—3

Bradshaw	Hardeman
Crump	

Absent—Excused

Secrest

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—27

Aikin	Moffett
Baker	Moore
Colson	Owen
Dies	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hazlewood	Roberts
Herring	Rogers
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood
Martin	

Nays—3

Bradshaw	Hardeman
Crump	

Absent—Excused

Secrest

Senate Bill 128 on Second Reading

Senator Baker moved that Senate Rules 116, 32, and 13 and Section 32 of Article III and Section 5 of Article III and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 128 be placed on its second reading and passage to engrossment and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Martin
Baker	Moffett
Colson	Moore
Crump	Owen
Dies	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hazlewood	Roberts
Herring	Rogers
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

Nays—2

Bradshaw	Hardeman
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Absent—Excused

Secrest

The Presiding Officer then laid before the Senate on its second reading and passage to engrossment the following bill:

S. B. No. 128, A bill to be entitled "An Act to repeal Section 4 of Article 2784g, Texas Civil Statutes, Acts 1953, 53rd Legislature, Chapter 273, relating to the applicability of the maximum tax rate of school Districts in counties with 700,000 or more population having an assessed valuation for tax purposes in excess of One Billion Dollars; and declaring an emergency."

The bill was read the second time and was passed to engrossment.

Senate Bill 128 on Third Reading

The Constitutional Rule requiring bills to be read on three several days having been suspended the President laid S. B. No. 128 before the Senate on its third reading and final passage.

The bill was read the third time and was passed by the following vote:

Yeas—27

Aikin	Fuller
Baker	Gonzalez
Colson	Hazlewood
Crump	Herring
Dies	Hudson
Fly	Kazen

Krueger	Reagan
Lane	Roberts
Moffett	Rogers
Moore	Smith
Owen	Weinert
Parkhouse	Willis
Phillips	Wood
Ratliff	

Nays—3

Bradshaw	Martin
Hardeman	

Absent—Excused**Secrest****Senate Bill 67 on Second Reading**

Senator Smith moved that Senate Rules 116, 32 and 13 and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 67 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—30

Aikin	Lane
Baker	Martin
Bradshaw	Moffett
Colson	Moore
Crump	Owen
Dies	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood

Absent—Excused**Secrest**

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 67, A bill to be entitled "An Act constituting a local law for the further maintenance of public highways, by authorizing the Commissioners Court of Gaines County to expend proceeds of road bonds heretofore and hereafter voted by said county for the purpose of providing for drainage of state highway rights-of-way and adjacent lands where such drainage is made necessary by the construction, widening or improve-

ment of such highways; enacting other provisions relating to the subject; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 67 on Third Reading

Senator Smith moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 67 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Lane
Baker	Martin
Bradshaw	Moffett
Colson	Moore
Crump	Owen
Dies	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood

Absent—Excused**Secrest**

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Lane
Baker	Martin
Bradshaw	Moffett
Colson	Moore
Crump	Owen
Dies	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood

Absent—Excused		Reagan	Smith
Secrest		Rogers	Willis
Motion to Place		Nays—10	
Senate Bill 92 on Second Reading		Bradshaw	Lane
Senator Parkhouse moved that Senate Rules 116 and 13 and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 92 be taken up for consideration at this time.		Dies	Martin
The motion was lost by the following vote (not receiving four-fifths vote of the Members of the Senate):		Fuller	Owen
Yeas—18		Hardeman	Roberts
Aikin	Hudson	Krueger	Weinert
Colson	Kazen	Present Not Voting	
Crump	Moffett	Baker	
Fly	Moore	Absent	
Gonzalez	Parkhouse	Wood	
Hazlewood	Phillips	Absent—Excused	
Herring	Ratliff	Secrest	
		Adjournment	
		On motion of Senator Hardeman the Senate at 11:44 o'clock a.m. adjourned until 10:30 o'clock a.m. tomorrow.	

In Memory of
Honorable Sam M. Bullock

Senator Ratliff offered the following resolution:

(Senate Resolution 52)

Whereas, In the passing of Honorable Sam M. Bullock in Colorado City, Texas, on February 1, 1959, the people of Mitchell County lost one of their most distinguished and highly respected citizens; and

Whereas, Judge Bullock was born March 15, 1884, in Brazos County, moving to Scurry County with his parents in 1897, and later moving to Mitchell County where he worked as a cowboy and bronc breaker before attending old Hawkins Normal School at Gorman, Britton's Training School at Cisco, and Simmons College at Abilene; and

Whereas, He served as an express company employee in Abilene for five years, taught school for several years in Colorado City, and later managed the Conaway Ranch southwest of Westbrook; and

Whereas, He served faithfully as County Judge of Mitchell County from January, 1949, until his retirement; and

Whereas, Judge Bullock served his community and his State well, and was a member of the Masonic Lodge and the First Baptist Church of Colorado City; and

Whereas, He is survived by his wife, Mrs. Maggie Wilson Bullock; two sons, Earl Bullock of Lubbock and John Bullock of Midland; two daughters, Mrs. Lawrence Ruddick of Colorado City and Mrs. Floyd Leach of Roscoe; three brothers, J. H. Bullock of Abilene, former State Senator Pat Bullock of Austin, and Arthur Bullock of Dallas; three sisters, Mrs. R. M. Cash of Abilene, Mrs. Will Tinton of Abilene, and Mrs. J. R. Cornelies of Jefferson; and seven grandchildren; now, therefore, be it

Resolved, That the Senate of Texas express its deep and abiding sympathy to the members of Judge Bullock's family and that copies of this resolution be forwarded to his family; and be it further

Resolved, That a page be set aside in the Senate Journal as a memorial to Judge Bullock and that when the Senate adjourns today that it do so in his memory.

RATLIFF

Signed—Ben Ramsey, Lieutenant Governor; Aikin, Baker, Bradshaw, Colson, Crump, Dies, Fly, Fuller, Gonzalez, Hardeman, Hazlewood, Herring, Hudson, Kazen, Krueger, Lane, Martin, Moffett, Moore, Owen, Parkhouse, Phillips, Reagan, Roberts, Rogers, Secrest, Smith, Weinert, Willis, Wood.

The resolution was read.

On motion of Senator Hardeman and by unanimous consent the names of the Lieutenant Governor and the Senators were added to the resolution as signers thereof.

The resolution was then adopted by a rising vote of the Senate.

In Memory of
Walter Alvin Parker

Senator Moore offered the following resolution:

(Senate Resolution 53)

Whereas, In the passing of Walter Alvin Parker, retired business man and outstanding civic leader of Fairfield, Texas, from this earthly life on the 19th day of January, 1959, the people of the State of Texas, and in particular, the people of Freestone county and the City of Fairfield have suffered an irreparable loss; and

Whereas, Mr. Parker was born near Fairfield, Texas, on the 25th day of October, 1884, son of the late J. M. and Lavilla Koonce Parker, and in 1909 he moved to Fairfield where he began his career as local manager of the Fairfield Telephone Company which he and his father first owned together; and

Whereas, Later Mr. Parker and his brothers, Joe Parker, and G. A. Parker, owned the Fairfield Telephone Company and in 1918 he and his brothers sold the system. In 1919 he and his father became associated in the automobile business, later buying his father's interest, to become one of the largest automobile dealers in East Texas. He also owned farm and ranch lands, operated a gin and became one of the county's most enthusiastic boosters, spearheading many plans for better roads and highways, churches and other community opportunities and progress; and

Whereas, He was a member of the Methodist Church, having served as Sunday School Superintendent and Chairman of the Board of Stewards. He was director of the East Texas Chamber of Commerce; master of the Masonic Lodge and a member of the Shrine Temple; served as chairman of war bond drives during the first and second World Wars; president of the school board and a member of that board for more than thirty years; a former County Commissioner; president of the Business Men's Club; and

Whereas, The contribution made by this fine, public spirited citizen to the civic and religious life of this community and state will always be felt by his friends and associates; and

Whereas, He is survived by three sons, Alton Parker, Edward Parker, both of Fairfield, and Herbert Parker of Wichita Falls; two daughters, Mrs. Lendon Red of Fairfield, and Mrs. Jack Swank, Jr., of Dallas; twelve grandchildren, seven great-grandchildren; two sisters, Mrs. Ruth Wall of Blanco and Mrs. Lloyd Pillans of Dalhart; a brother, Joe Parker of Grand Prairie; now, therefore, be it

Resolved, That it is the desire of the Senate of Texas to pay tribute to this worthy citizen, Mr. Walter Alvin Parker; and, be it further

Resolved, That when the Senate adjourns today it do so in his honor and memory and that a page in the permanent Senate Journal be devoted to the recording of this resolution; and, be it further

Resolved, That an enrolled copy of this resolution be sent to each surviving member of his family as a token of respect and sympathy.

MOORE

Signed—Ben Ramsey, Lieutenant Governor; Aikin, Baker, Bradshaw, Colson, Crump, Dies, Fly, Fuller, Gonzalez, Hardeman, Hazlewood, Herring, Hudson, Kazen, Krueger, Lane, Martin, Moffett, Owen, Parkhouse, Phillips, Ratliff, Reagan, Roberts, Rogers, Secrest, Smith, Weinert, Willis, Wood.

The resolution was read.

On motion of Senator Wood and by unanimous consent the names of the Lieutenant Governor and the Senators were added to the resolution as signers thereof.

The resolution was then adopted by a rising vote of the Senate.